Assembly of States Parties

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Election of the judges of the International Criminal Court

Note by the Secretariat

1. The election of the judges of the International Criminal Court will take place during the first resumed session of the Assembly of States Parties, to be held from 3 to 7 February 2003.

2. Under the terms of article 36, paragraph 1, of the Rome Statute, 18 judges will be elected. In accordance with paragraph 9 of the same article, at the first election, one third of the judges elected will be selected by lot to serve for a term of three years; one third of the judges elected will be selected by lot to serve for a term of six years; and the remainder will serve for a term of nine years.

3. According to article 36, paragraph 4, States Parties were required to make nominations either by the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question or the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court. In addition, nominations were to be accompanied by a statement in the necessary detail specifying how the candidate fulfils the requirements laid down in paragraph 3 of article 36.

4. According to article 36, paragraphs 3 and 5, the judges were to be nominated from among persons of high moral character, impartiality and integrity who possess the qualifications required in their respective States for appointment to the highest judicial offices. Every candidate for election to the Court should also have an excellent knowledge of and be fluent in at least one of the working languages of the Court. In addition, two lists of candidates have been established (see annex II to the present note):

List A — Candidates having established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings;

List B — Candidates having established competence in relevant areas of international law such as international humanitarian law and the law of human

rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court.

For purposes of the first election to the Court, at least nine judges will be elected from list A and at least five judges from list B.

5. Article 36, paragraph 6, requires that the judges be elected by secret ballot at a meeting of the Assembly of States Parties convened for that purpose under article 112, and that the persons elected to the Court shall be the 18 candidates who obtain the highest number of votes and a two-thirds majority of the States Parties present and voting. In addition, in case a sufficient number of judges are not elected on the first ballot, successive ballots will be held until the remaining places have been filled.

6. Under the terms of article 36, paragraphs 7 and 8, no two judges may be nationals of the same State, and the State Parties shall, in the selection of judges, take into account the need, within the membership of the Court, for the representation of the principal legal systems of the world; equitable geographical representation; and a fair representation of female and male judges. In addition, States Parties are required to take into account the need to include judges with legal expertise on specific issues, including, but not limited to, violence against women or children.

7. The Assembly of States Parties to the Rome Statute, at its 3rd plenary meeting, on 9 September 2002, further adopted two resolutions relating to the election of the judges, namely resolution ICC-ASP/1/Res.2 on the procedure for the nomination and election of the judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court, and resolution ICC-ASP/1/Res.3 on the procedure for the election of the judges for the International Criminal Court.

8. In accordance with paragraph 11 of resolution ICC-ASP/1/Res.2, the nomination period was opened on 9 September 2002, by a decision of the Bureau of the Assembly of States Parties, and closed on 30 November 2002. While 45 nominations were received by the closing date, one nomination was subsequently withdrawn on 13 December 2002.

9. As required by paragraph 9 of the same resolution, the Secretariat of the Assembly of States Parties placed the nominations of candidates for judges, together with the accompanying statements referred to in article 36 of the Statute and other supporting documentation on the Internet web site of the International Criminal Court[1] as soon as they were received.

10. In accordance with paragraph 10 of the resolution, a list in English alphabetical order of all persons nominated, with accompanying documents, is contained in annex I to the present note (see ICC-ASP/1/4/Add.1). Three additional lists are provided in further annexes containing the names of the candidates organized according to list A or B (annex II), by regional group (annex III) and by gender (annex IV).

11. The procedure to be followed for the election of judges is laid down in paragraphs 16 to 21 of resolution ICC-ASP/1/Res.2, together with resolution ICC-ASP/1/Res.3.

12. A guide for the first election of the judges is contained in document ICC-ASP/1/5.

[1] Web site of the Rome Statute of the International Criminal Court: www.un.org/law/icc/.

Annex I

Alphabetical list of candidates (with statements of qualifications)

[see ICC-ASP/1/4/Add.1]

Annex II

List of candidates organized according to list A and B

List A	List B
Name (Nationality)	*Name (Nationality)*
1. CLARK, Maureen H. (Ireland)	1. BLATTMANN, René (Bolivia)
2. DIARRA, Fatoumata D. (Mali)	2. BOGGIANO, Antonio (Argentina)
3. FULFORD, Adrian (United Kingdom)	3. BOSSUYT, Marc (Belgium)
4. GIANNIDIS, Ioannis (Greece)	4. CAPO-CHICHI, Kocou A. (Benin)
5. HUDSON-PHILLIPS, Karl T. (Trinidad and Tobago)	5. DIACONU, Ion (Romania)
6. JORDA, Claude (France)	6. ENKHSAIKHAN, Jargalsaikhany (Mongolia)
7. KARIBI-WHYTE, Adolphus G. (Nigeria)	7. GOCHEV, Dimitar (Bulgaria)
8. KÁRPÁTI, Hajnalka (Hungary)	8. HENG VONG, Bunchhat (Cambodia)
9. KATUALA KABA KASHALA, Joseph-Médard (Democratic Republic of the Congo)	9. JOSIPOVIĆ, Ivo (Croatia)
10. LUGAKINGIRA, Kamugumya S. K. (United Republic of Tanzania)	10. KAUL, Hans-Peter (Germany)
11. NDIR, Doudou (Senegal)	11. KIRSCH, Philippe (Canada)
12. ODIO BENITO, Elizabeth (Costa Rica)[a]	12. KOURULA, Erkki (Finland)
13. OTT, Barbara L. (Switzerland)	13. KUENYEHIA, Akua (Ghana)
14. PIKIS, Georghios M. (Cyprus)	14. MACLEAN UGARTECHE, Roberto (Peru)
15. RODRIGUES, Almiro (Portugal)	15. NIETO NAVIA, Rafael (Colombia)
16. SISSOKO, Mory O. (Niger)	16. NSEREKO, Daniel D. N. (Uganda)
17. SLADE, Tuiloma N. (Samoa)	17. PILLAY, Navanethem (South Africa)
18. SONG, Sang-hyun (Republic of Korea)	18. POLITI, Mauro (Italy)
19. STEINER, Sylvia H. de Figueiredo (Brazil)	19. RODRÍGUEZ-CEDEÑO, Víctor (Venezuela)
20. TUIVAGA, Timoci U. (Fiji)	20. SOCK, Raymond C. (Gambia)
21. ZIELIŃSKA, Eleonora (Poland)	21. UŠACKA, Anita (Latvia)
22. ZUPANČIČ, Boštjan (Slovenia)	22. YÁÑEZ-BARNUEVO, Juan A. (Spain)

[a] Nominated by Panama.

Annex III

List of candidates organized by regional group

	Name (Nationality)
	Group of African States
1.	CAPO-CHICHI, Kocou A. (Benin)
2.	DIARRA, Fatoumata D. (Mali)
3.	KARIBI-WHYTE, Adolphus G. (Nigeria)
4.	KATUALA KABA KASHALA, Joseph-Médard (Democratic Republic of the Congo)
5.	KUENYEHIA, Akua (Ghana)
6.	LUGAKINGIRA, Kamugumya S. K. (United Republic of Tanzania)
7.	NDIR, Doudou (Senegal)
8.	NSEREKO, Daniel D. N. (Uganda)
9.	PILLAY, Navanethem (South Africa)
10.	SISSOKO, Mory O. (Niger)
11.	SOCK, Raymond C. (Gambia)
	Group of Asian States
1.	ENKHSAIKHAN, Jargalsaikhany (Mongolia)
2.	HENG VONG, Bunchhat (Cambodia)
3.	PIKIS, Gheorghios M. (Cyprus)
4.	SLADE, Tuiloma N. (Samoa)
5.	SONG, Sang-hyun (Republic of Korea)
6.	TUIVAGA, Timoci U. (Fiji)
	Group of Eastern European States
1.	DIACONU, Ion (Romania)
2.	GOCHEV, Dimitar (Bulgaria)
3.	JOSIPOVIĆ, Ivo (Croatia)
4.	KÁRPÁTI, Hajnalka (Hungary)
5.	UŠACKA, Anita (Latvia)
6.	ZIELIŃSKA, Eleonora (Poland)
7.	ZUPANČIČ, Boštjan (Slovenia)

	Name (Nationality)
	Group of Latin American and Caribbean States
1.	BLATTMANN, René (Bolivia)
2.	BOGGIANO, Antonio (Argentina)
3.	HUDSON-PHILLIPS, Karl T. (Trinidad and Tobago)
4.	MACLEAN UGARTECHE, Roberto (Peru)
5.	NIETO NAVIA, Rafael (Colombia)
6.	ODIO BENITO, Elizabeth (Costa Rica)[a]
7.	RODRÍGUEZ-CEDEÑO, Víctor (Venezuela)
8.	STEINER, Sylvia H. de Figueiredo (Brazil)
	Group of Western European and other States
1.	BOSSUYT, Marc (Belgium)
2.	CLARK, Maureen H. (Ireland)
3.	FULFORD, Adrian (United Kingdom)
4.	GIANNIDIS, Ioannis (Greece)
5.	JORDA, Claude (France)
6.	KAUL, Hans-Peter (Germany)
7.	KIRSCH, Philippe (Canada)
8.	KOURULA, Erkki (Finland)
9.	OTT, Barbara L. (Switzerland)
10.	POLITI, Mauro (Italy)
11.	RODRIGUES, Almiro (Portugal)
12.	YÁÑEZ-BARNUEVO, Juan A. (Spain)

[a] Nominated by Panama.

Annex IV

List of candidates organized by gender

Male	Female
Name (Nationality)	*Name (Nationality)*
1. BLATTMANN, René (Bolivia)	1. CLARK, Maureen H. (Ireland)
2. BOGGIANO, Antonio (Argentina)	2. DIARRA, Fatoumata D. (Mali)
3. BOSSUYT, Marc (Belgium)	3. KÁRPÁTI, Hajnalka (Hungary)
4. CAPO-CHICHI, Kocou A. (Benin)	4. KUENYEHIA, Akua (Ghana)
5. DIACONU, Ion (Romania)	5. ODIO BENITO, Elizabeth (Costa Rica)[a]
6. ENKHSAIKHAN, Jargalsaikhany (Mongolia)	6. OTT, Barbara L. (Switzerland)
7. FULFORD, Adrian (United Kingdom)	7. PILLAY, Navanethem (South Africa)
8. GIANNIDIS, Ioannis (Greece)	8. STEINER, Sylvia H. de Figueiredo (Brazil)
9. GOCHEV, Dimitar (Bulgaria)	9. UŠACKA, Anita (Latvia)
10. HENG VONG, Bunchhat (Cambodia)	10. ZIELIŃSKA, Eleonora (Poland)
11. HUDSON-PHILLIPS, Karl T. (Trinidad and Tobago)	
12. JORDA, Claude (France)	
13. JOSIPOVIĆ, Ivo (Croatia)	
14. KARIBI-WHYTE, Adolphus G. (Nigeria)	
15. KATUALA KABA KASHALA, Joseph-Médard (Democratic Republic of the Congo)	
16. KAUL, Hans-Peter (Germany)	
17. KIRSCH, Philippe (Canada)	
18. KOURULA, Erkki (Finland)	
19. LUGAKINGIRA, Kamugumya S. K. (United Republic of Tanzania)	
20. MACLEAN UGARTECHE, Roberto (Peru)	
21. NDIR, Doudou (Senegal)	
22. NIETO NAVIA, Rafael (Colombia)	
23. NSEREKO, Daniel D. N. (Uganda)	
24. PIKIS, Georghios M. (Cyprus)	

Male	Female
Name (Nationality)	*Name (Nationality)*
25. POLITI, Mauro (Italy)	
26. RODRIGUES, Almiro (Portugal)	
27. RODRÍGUEZ-CEDEÑO, Víctor (Venezuela)	
28. SISSOKO, Mory O. (Niger)	
29. SLADE, Tuiloma N. (Samoa)	
30. SOCK, Raymond C. (Gambia)	
31. SONG, Sang-hyun (Republic of Korea)	
32. TUIVAGA, Timoci U. (Fiji)	
33. YÁÑEZ-BARNUEVO, Juan A. (Spain)	
34. ZUPANČIČ, Boštjan (Slovenia)	

[a] Nominated by Panama.